

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:18 CR 295 AGF (JMB)
)	
MARK VAN RONZELEN,)	
)	
Defendant.)	

MOTION FOR CONTINUANCE OF DETENTION HEARING

Comes now the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Jennifer J. Roy, Assistant United States Attorney for said District, and pursuant to Title 18, U.S.C. §3142(f)(2), requests a continuance of the Detention Hearing scheduled for April 27, 2018 at 11:00. As and for its grounds, the Government states as follows:

1. On April 4, 2018, a Federal Grand Jury sitting in the Eastern District of Missouri returned a two-count indictment in the instant case.
2. On April 5, 2018, the Government filed a Detention Motion. (Doc #5)
3. On April 10, 2018, the parties appeared before this Court for a Detention Hearing. Assistant Federal Public Defender Melissa Goymerac appeared as counsel for the defendant and requested that the defendant be released on bond. The parties proffered information in support of their positions. The Government offered three exhibits which were deemed admitted. (Doc #14-15) The Court took the matter under submission and gave the defendant an opportunity to provide supplemental information to in support of his request for a bond.
4. On April 13, 2018, counsel for the defendant, Assistant Public Defender Michelle Monahan, filed a Supplement to Defendant's Request for Release from Detention along

with four attachments. (Doc. #19) One of the attachments included two emails both sent on April 13, 2018 from former United States Probation Officer Patty Barker (“Barker”) to defense counsel in which Barker concluded that the defendant was not a flight risk and recommended to this Court that the defendant be released on bond. Barker stated that she was a “long time friend” of the defendant’s mother and that she “had some contact” with the defendant over the years. Barker stated, “[B]ased on my knowledge of Mark’s overall character...I do not believe Mark is a flight risk and would be a suitable candidate for bond.” Barker offered to “maintain contact with Mark and try to hold him accountable” and assist him through the process. Barker goes into great detail as to ways he should be supervised and states, “When I was asked to submit an email regarding Mark, I did so as a retired officer of the court. As a result, I felt a duty to provide information that I believed would be useful to the Court, Defense Counsel, U.S. Pretrial Services Office, and Mark.”

5. On April 18, 2018, the Grand Jury returned a superseding indictment charging the defendant with three additional felonies. (Doc # 21)
6. On April 25, 2018, the parties appeared before this Court for the defendant’s arraignment on the superseding indictment. Attorney John Lynch entered his appearance on behalf of the defendant. The Government requested a supplemental detention hearing in light of the new information charged in the superseding indictment and to respond to the defendant’s supplemental request for bond. This Court scheduled a supplemental detention hearing for April 27, 2018 at 11:00.
7. On April 26, 2018, following the Arraignment, the Government received information that Pretrial Services Officer Lisa Lazier spoke with Barker concerning her two emails. Barker stated that although she did not believe the defendant to be a flight risk, she did believe he could be a danger to the community. The Government also learned that there was another email that was sent from Barker to a current employee of the U.S.

- Probation Office and ultimately provided to Lisa Lazier that details these safety concerns. Neither defense counsel nor the Government has a copy of Barker's third email. Lisa Lazier advised that she will be filing a supplemental report summarizing this information.
8. The Government intends to call Pretrial Services Officer Lisa Lazier at the Detention Hearing to testify regarding her conversations with Barker and the contents of the third Barker email. The information is directly relevant to the issue of the safety of the community.
 9. Lisa Lazier will be out of the office tomorrow and unable to appear at the hearing. As such, the Government is asking for a continuance of the Detention Hearing to allow for Lisa Lazier's appearance and allow for the Government and defense counsel to obtain and review the third Barker email and the supplemental Pretrial Services Report.
 10. On today's date, the Government notified defense counsel of the new information and further that the Government was going to request a continuance. Defense counsel does not object to the continuance. Both parties are available for a hearing on Thursday, May 3, 2018.

WHEREFORE, the Government requests that for the above stated reasons, and good cause shown, this Court reset the Detention Hearing to Thursday, May 3, 2018.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

s/Jennifer J. Roy

BY: JENNIFER J. ROY, #68299
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2018, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon counsel of record.

/s/ Jennifer J. Roy
JENNIFER J. ROY, #MO47203
Assistant United States Attorney